

Notice of Allowability

Application No.

09/863,638

Examiner

Fred I. Ehichioya

Applicant(s)

COHEN, STEVEN B.

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04 October 2005.
2. ☒ The allowed claim(s) is/are 1 - 30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
Drawings Correction Exhibit 1
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

[Signature]
PRIMARY EXAMINER

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see applicant's response, filed October 4, 2005, with respect to last Office Action have been fully considered and are persuasive.

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Allowable Subject Matter

2. Claims 1 - 30 are allowable in light of the Applicant's arguments and in light of the prior art made of record.

Reasons for Indicating Allowable Subject Matter

3. The following is an examiner's statement of reasons for allowance: Upon searching a variety of databases, the examiner respectfully submits that “**distributing, in response to join request, rows . . . from the first storage module to the second storage module . . .**” in conjunction with all other limitations of the dependent and independent claims are not taught nor suggested by the prior art of record (PTO-892 and 1449). Therefore, all pending claims 1 – 30 is hereby allowed.

Since allowable subject matter has been indicated, applicant is encouraged to submit formal drawings in response to this Office action, **if only if the formal drawings have not yet been submitted to the office**. The early submission of formal drawings will permit the Office to review the drawings for acceptability and to resolve any

informalities remaining therein before the application is passed to issue. This will avoid possible delays in the issue process.

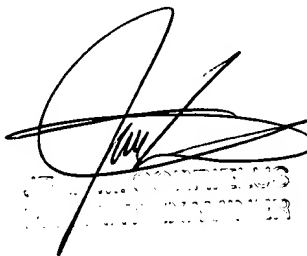
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Drawings

The drawings filed on September 25, 2001 are acceptable subject to correction of the informalities indicated on the attached "Fig. 2". In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance.

Fred I. Ehichioya
Patent Examiner
Art Unit 2162

December 27, 2005

A handwritten signature in black ink, appearing to read "Fred I. Ehichioya", is written over a rectangular stamp. The stamp contains the text "U.S. PATENT & TRADEMARK OFFICE" and "ART UNIT 2162" in a grid-like format.

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FIG. 2

